

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 08-05245 JF (PR)

## ORDER OF DISMISSAL; DENYING APPLICATION TO PROCEED *IN FORMA PAUPERIS*

M. D. BARON, et al.,

Defendant(s).

Plaintiff, a California state prisoner and frequent litigant in this Court, filed a document on November 19, 2008, which the Clerk of the Court construed as a civil rights complaint under 42 U.S.C. § 1983 and filed in a new case with the above-captioned case number. Although the document was a form civil rights complaint, Plaintiff indicated thereon that it was in fact a response to an order to show cause that the Court had issued in one of Plaintiff's prior cases.<sup>1</sup> The Court has addressed this response in a separate order filed in those cases.

As the above-captioned case was inadvertently opened based on a filing that is not a complaint or other pleading intended to be filed in a new matter, the above-

<sup>1</sup> Case Nos. 08-3156, 08-315, 08-3621, 08-3622, 08-3724, 08-3772, and 08-3855.

captioned case is hereby DISMISSED. Plaintiff is not required to pay a filing fee in the above-captioned case, and his application to proceed in forma pauperis filed therein is DENIED as moot.

The Clerk shall close the file and terminate all pending motions.

IT IS SO ORDERED.

DATED: 3/17/08

  
JEREMY FOGEL  
United States District Judge